



## **MINUTES**

**Committee on Intergovernmental Relations  
Tuesday, August 2, 2016 @ 3:30 p.m.  
10<sup>th</sup> Floor Conference Room, City Hall**

### **CALL TO ORDER**

The meeting was called to order at 3:32 p.m.

### **ROLL CALL**

Council Member Adam Hussain, Chair  
Council Member Judi Brown Clarke, Vice Chair  
Councilmember Tina Houghton, Member- arrived at 3:36 p.m.

### **OTHERS PRESENT**

Sherrie Boak, Council Staff  
Kristen Simmons, Assistant City Attorney  
Edward Gunther, MSU Rowing  
Thaddeus Owen, Moores River Dr. Association  
Zach Russell, Lansing Parks and Recreation  
Eric Novak, Moores River Dr. Association/Waterski Club  
Brett Kaschinske, Parks and Recreation Director

### **PUBLIC COMMENT ON AGENDA ITEMS**

Public Comment will be discussed at each agenda item.

### **MINUTES**

MOTION BY COUNCIL MEMBER BROWN CLARKE TO APPROVE THE MINUTES FROM JULY 19, 2016 AS PRESENTED. MOTION CARRIED 2-0.

### **DISCUSSION –**

#### **Wake Policy and Safe Boating on the Grand River**

Council Member Hussain recapped the last meetings where the Committee has held discussions on noise, speed and what to do to mitigate. At the last meeting the two (2) Sergeants from the Lansing Dive team were present and spoke of their tasks and offered their assistance directly to the residents in attendance. The last meeting provided information on the speed limit of 55 mph, the current noise ordinance on the books, and the reasons it cannot be enforced due to lack of noise meter, training and adequate evidence to hold up in court. The dive team did state reckless driving can be enforced but it would be difficult, and they have to wait at the launch to cite the boater. Currently the LPD has acknowledged it is a low priority.

Options the Committee has discussed included a wake policy which has now been determined is not an option because of the need for multi jurisdiction support, lack of enforcement support currently and unintended consequences.

Second option discussed was distribution and placement of flyers/pamphlets, which too was not supported because of litter and how to disseminate.

The last option is signage and the Committee held further discussions on wording and placement. An earlier email recommendation on language from Mr. Gunther was forwarded to Mr. Kaschinske. A sample sign was distributed. The Committee reviewed the proposed and the recommendation from Mr. Gunther. The Committee consensus was to use the clear minimal language provided by Mr. Gunther adding "Violations could result in fines up to \$2,000" then citing the Michigan law code for that.

Add "safe" to the line item for "Distance" and remove "of 100 feet", so now states " You must maintain a safe distance from the shoreline..."

Mr. Kaschinske opened the discussion on where the 100' begins, and also on placement of the sign where it can be enforced. Mr. Gunther cited the Michigan law that states the 100' begins where the depth becomes 3' or less. He also asked that the rowing team was looking for ropes from there out so the area is denoted in the water. The Committee determined it would be hard to place markers, therefore it will be noted at the launch. Mr. Kaschinske confirmed the sign could be 12" x 17" but he did not recommend anything larger than poster size. The sign will be placed east of the launch.

Council Member Houghton also asked that the sign include the statement "No wake from sun up to sun down".

Mr. Novak asked for a sign to be placed at Grand River Park which touches MLK. Mr. Kaschinske did not support that location, because the complaints have been the users, which are launching. The violators do not appear to be the residents or the boat club.

Council Member Wood had not additional comments to the conversation but did ask when the sign would go up. Mr. Kaschinske confirmed he will expedite, however will not promise a specific date.

Council Member Hussain asked Mr. Kaschinske to update the Council when the language is done, the sign is done and when it is placed. Council Member Brown Clarke also asked that the idea be revisited by IGR in May, 2017 to see the effect of the sign. Mr. Novak asked how Council was going to determine if it was working, and Mr. Hussain clarified they will review based on the same matrix the discussion started with resident input and complaints.

### **AT&T Michigan Annual Video Report and Attorney Opinion**

Council Member Hussain outlined the task that was assigned to the Committee. Currently the residents pay a franchise fee on their bills, but do not get the programming and the City is spending the franchise funds. Council Member Wood outlined the history, which began 10/8/2008 when the Council approved the franchise agreement with AT & T which goes into PEG funds charged at 2% of the gross revenues. The agreement delineates the fact that AT&T is supposed to provide a channel that can be utilized by the community, their customers. At the time AT&T gave the City the Channel 99, and Council was not pleased with the placement so the City filed a suit against AT&T for a better number. They also continued to collect franchise dollars, even though they had not gotten a channel. Council Member Wood also referred to another case from 2008 called the Bolt decision, which was a rain fee and that outcome was that it was not a fee, it was a tax and a violation.

The first question to Law is if the case has been settled yet, and if it has, why is the City not on the channel roster. Ms. Simmons confirmed she had a conversation with Mr. Abood and Mr. Smiertka who assured her the issue was resolved, but at this point they are being told the City needs to address equipment issues. An email communication was sent to Dominic Cochran from Law for an update on the equipment, however there has been no response.

Council Member Brown Clarke noted that if the channel has been “released” it is similar to uploading to the live stream. Council Member Wood also noted that if the case is settled, and the City is spending the money from AT&T and Comcast, there should not be a hold up on the equipment. Been collecting since 2008, 2%, spent it and not provided a service.

Council Member Hussain requested staff to invite Comcast and Mr. Cochran to a future meeting in September. AT&T will also be invited to address the channel and equipment issues.

Council Member Wood also noted there are other issues to address with Comcast which include quality of shows, sometimes it stops or freezes, no live stream. Comcast needs to address if this is a network issue or equipment issue.

Council Member Houghton asked if Council can pursue surveying the residents before the next contract is up. Council Member Wood suggested a website survey or robocall.

Council Member Hussain confirmed the Committee with have the vendors in and Mr. Cochran before pursuing a survey.

Submitted by,  
Sherrie Boak, Recording Secretary,  
Lansing City Council  
Approved by the Committee on September 6, 2016  
Adjourn 4:16 p.m.